COMMISSIONER'S BULLETINS BOSTON INSPECTIONAL SERVICES

YEAR 1987

Number: 87 - 11

November 6, 1987

Subject:

Chapter 354 - AN ACT REQUIRING INSURANCE COVERAGE FOR PLUMING AND GAS FITTING CONTRACTORS.

Determination:

In order to implement the Commonwealth of Massachusetts GL Chapter 142. Sec. 21, 21a the following permit processing steps are required.

colicy effective November 9, 1987.

- Re-establish the ISD Log Books for licensed gas fitters and plumbers with the following information:
 - A. Signature of gas fitter or plumber
 - B. licensed number
 - C. Address
 - D. Bond/other type of liability on file with ISD
- Each permit application must be accompanied by a "completed operation" work cost break-down sheet.
- Post bond or other type of indemnity against liability.

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has V. McNicholas, Acting

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HASSACHUSETTS COHHONWEALTH OF

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT REQUIRING INSURANCE COVERAGE FOR PLUMBING AND GAS FITTING CONTRAC-TORS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 142 of the General Laws is hereby amended by inserting after section 21 the following section:-

Section 21A. Notwithstanding the provisions of any general or special law to the contrary, no permit for the performance of plumbing and gas fitting work pursuant to this chapter shall be issued by any city or town unless the licensee provides proof of liability insurance, including "completed operation" coverage, which has been issued by an insurance company licensed to do business within the commonwealth, or a bond or other type of indemnity against liability providing substantially equivalent coverage.

House of Representatives, August 6, 1987.

Passed to be enacted, Large Liverian, Speaker.

In Senate, August 6, 1987.

Passed to be enacted, Waiter Service, President.

August 11 . 1987.

W//Whate Governor.

Department of Inspectional Services
Boston, MA

Number: 87-10

Date: October 20, 1987

Subject:

THE USE OF CPVC AND POLYBUTYLENE PIPES FOR WET SPRINKLER USE

Determination:

1) The Department of Inspectional Services has determined, in accordance with the National Fire Protection Association Codes and Standards National Fire Codes 1985, that the use of chlorinated polyvinyl chloride (CPVC) and polybutylene pipe and fittings is acceptable in specified instances for use as piping for wet sprinkler installation.

NFPA Code and Standards National Fire Code 1985 NFPA 13 Chapter 3-1.1.5 states "other types of pipe or tube may be used, but only those investigated and listed for this service by a testing and inspection laboratory." Underwriter's Laboratories Incorporated has approved PVC and polybutylene pipe to be allowed for use on wet sprinkler systems.

However, in order for a sprinkler contractor to use plastic pipe some basic limitations must be adhered to prior and during the installation. These limitations must be checked for during any inspection and be strictly adhered to in order for plastic pipe to be used in any installation. These are the limitations that must be followed in order to use plastic pipe:

- A. Plastic pipe and fittings are intended for use in sprinkler systems in the following types of occupancies:
 - 1. Residential occupancies as defined in the sprinkler systems in one and two family dwellings, NFPA 13D.
 - 2. Light Hazard Occupancies as defined in the Standard for Installation of Sprinkler Systems, NFPA 13.

Signed:

illam Sommers

B. Protection should be provided for CPVC and polybutylene pipe and fittings. The minimum protection shall consist of one layer of 3/8 inch gypsum wallboard, (for polybutylene - 1/2 inch gypsum wallboard), or acoustical ceiling panels classified as to surface burning characteristics, or 1/2 inch plywood soffits. For residential occupancies defined in NFPA 13D, the minimum protection may consist of one layer of 1/2 inch plywood.

- C. CPVC and polybutylene pipe and fittings are intended for installation in areas having a maximum ambient temperature of 120 degrees fahrenheit.
- D. CPVC and polybutylene piping are intended for use in wet sprinkler systems only.
- E. CPVC and polybutylene are intended for use in interior applications only.
- F. CPVC and polybutylene are intended for use with sprinklers having a temperature rating not exceeding the ordinary rating as defined in NFPA 13.
- G. CPVC and polybutylene requires special requirements for hanger spacing, assembly of piping and fittings, pipe and sprinkler restraint and location.
- H. CPVC and polybutylene piping requires special procedures for field acceptance testing.
- I. CPVC and polybutylene piping and fittings incorporate different friction loss characteristics.
- J. CPVC and polybutylene piping are not suitable for use in combustible concealed spaces where sprinklers are required as referenced in NFPA 13.
 - 2) Requirements for Pipe Markings

Each lengthh of pipe must be marked with the following:

1. Listee's name or identifying symbol

2. Type of pipe, "CPVC" or "PB"

- 3. Size, pressure rating (175 P.S.I.) and temperature rating (120 degrees Fahrenheit)
- 4. Standard dimensional ratio (CPVC-SDR 13.5), (PB-SDR 11) and specification (CTS or IPS)

5. Material designation

6. Date, shift, and extruder code of manufacture .

The packing for the brand of piping and fittings approved, at this time, includes the marking which states "Install Pipe and Fittings in accordance with installation instructions (see instructions inside packaging)." A copy of the installation instructions is provided inside the packaging. All installation must be completed according to the installation instructions. Polybutylene piping shall be packaged to protect the pipe from sunlight during shipping and storage.

3) Fitting Requirements

Each fitting must be marked with the following:

- 1. Listee's name or identifying symbol
- Size of fitting
 Material designation
- 4. Year of manufacture
- 5. Dimensional specification (CTS or IPS) for polybutylene piping
- 4) Important notice:

ALL PIPING USED MUST BE APPROVED BY UNDERWRITER'S LABORATORY OR FACTORY MUTUAL LABORATORY.

5) This Bulletin is intended to supersede and replace Commissioner's Bulletin No. 86-4 of April 14, 1986. Number 87-

Date: September 22, 1987

Subject:

To provide for the restoration of buildings raised to their foundation under an order of the Commissioner of Inspectional Services Department.

Determination:

- 1. The Boston Zoning Code provides that a non-conforming structure, when raised to its foundations whether by fire or by direct demolition, loses its status of non-conformance. Any rebuilding or reconstruction in these cases must conform with existing code requirements.
- 2. However, the Boston Zoning Code, under Section 4-1, article 4 declares that when a structure is declared unsafe by the Commissioner of Inspectional Services and is ordered razed, nothing in the code shall prevent a restoration to its original and safe condition.
- 3. In consideration of these features of the Zoning Code and mindful of the fact that many buildings damaged by fire have been ordered razed to their foundations by the Commissioner of Inspectional Services in the interest of public safety, it has been determined as follows:
 - a. When a building is ordered razed to the foundations by the Commissioner of Inspectional Services in the interests of public safety because of fire or act of nature or public calamity, the owner may restore the building to its original status.
 - b. Such restoration shall be done on application for building permit and shall be reviewed and approved in accordance with the State Building Code and other applicable codes save the reference to the applicability of the Zoning Code as indicated in number 2 above.

Signed:

William Sommers

- c. The owner or owner's agent shall submit sufficient proof to substantiate the size, shape, footprint and use of the structure prior to its having been razed.
- d. The restoration as authorized under this Bulletin shall have begun construction based on validly issued permit within three years of date of the order of the Commissioner to raze the building.

Number: 87-8

Date: September 3, 1987

Subject:

Modified Requirements for Certified Plot Plans

Determination:

- 1. In order to simplify the permitting procedure and reduce the cost to applicants who purpose small renovations, additions or remodelings, the Department of Inspectional Services has adopted simplified requirement on the submission of the certified plot plans.
- 2. Effective the date of this Bulletin, applicants may locate certain structures, defined in #3 below, on an existing certified plot plan, mortgage plan or professionally drawn site plan without having the additions certified by a registered professional surveyor or engineer.
 - A. The applicant may draw in the structure, addition, etc. on an existing certified plot plan, mortgage plan or professionally drawn site plan, providing the scale of the plan is not less than one inch equals forty feet.
 - B. The applicant must place the structure, addition, etc. neatly and to scale on the plot plan showing the new dimensions clearly.
 - C. The applicant must file with the plot plan a notarized certification attesting the factual accuracy of what the applicant has drawn onto the existing plot plan. A copy of the certification is attached.
- 3. Plot plans described in #1 and #2 above shall be accepted for the following types of structures:

Signed:

Commissioner ***
Inspectional Services

decks mof decks sheds

inground pools

domers garages fences

additions to one and two family dwellings

additions to allowed uses in a local business (L) districts additions within the footprint of the existing building

If in the judgement of the Zoning Administrative the structure(s) drawn onto the existing plot plan is unclear, without proper scale or dimensions the Department may require that the applicant submit a redrawn plot plan.

AFFIDAVIT FOR OWNER LOCATED STRUCTURE(S) ON CERTIFIED PLOT PLAN

	Date:
'o Inspectional Services Commissione	
I ceritfy that I will install the certified plot plan at	
To the best of my knowledge, information to the tructure(s) that I have located on the sith regard to distance from property accept full liability for the plans locating the proposed structure(s) and steps are necessary including demonstructure(s) should the information attached plot plan proves to be inaccurate found to exist.	he plot plan is accurate lines and dimensions. I that I have submitted a gree to take whatever plition of the proposed I have provided on the
I further state that I have neat structure, and have drawn the plans to	
	Signature of Owner or Applicant
	Name (print or type)
	Address
Then personally appeared the above-name	20
and made oath that the above statement	by him is true.
	Before me

Number: 87-6

Date September 22, 1987

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Subject:

Construction License Exemption Form for Homeowner(s)

Determination:

- 1. The Boston Code of Ordinances requires that every structure built in the City must be under the supervision of a licensed builder.
- 2. However, section 109.1.1 of the State
 Building Code, Fourth Edition (780 CMR) authorizes
 municipalities to waive this requirement for
 owner-occupied dwellings of six units or less and allows a
 home owner to engage a person who does not have a
 license. In these cases, however, the owner must act as
 supervisor.
- 3. The Department of Inspectional Services, Buildings and Structures Division, in accord with the Code, does hereby waive the requirement as indicated in number 1. above, provided that
 - a. The homeowner submits to the Department at the time of application a certification showing the owner accepts the waiver with the full knowledge that the owner shall be responsible for all such work performed as described in the building permit.
 - b. The form for this certification is attached. Only this form will be accepted and must be fully completed and signed with the countersignature of the responsible building official.
- 4. In order to clarify the administration of such waivers homeowner is defined as follows:

Signed:

William Sommers

Commissioner

- a. a person or persons who owns a parcel of land on which he or she resides or intends to reside, and on which there is, or is intended to be, a dwelling of six units or less and attached or detached structure accessory to such use.
- b. A person or persons who constructs more than one home in a two year period shall not be considered a homeowner.
- 5. It is expressely understood that any homeowner, in receiving the exemption as hereinbefore described, shall assume all responsibility and be liable for the compliance of the building with State Building Code, all other applicable codes and city ordinances, and shall operate consistent with the established minimum inspection procedures and requirements of the Buildings and Structures Division of Department of Inspectional Services.
- 6. The granting of the exemptions under this Bulletin does not imply or authorize similar waivers for electrical, plumbing or gas installations. Persons who are engaged in these installations must still have the proper license and make application for the proper permits.

City of Boston Inspectional Services Department Division of Building & Structures Construction License Exemption for Home Owner(s)

Please print.		
DATE	. ·	•
JOB LOCATION		Ward
Number	Street Address	waru
"HOMEOWNER" Name	Home phone	Work phone
PRESENT MAILING ADDRES	SS	
City/Town	State	Zip code
dwellings of six unitaridividual for hire what acts as supervisor. DEFINITION OF HOMEOWN Person(s) who owns a preside, on which ther attached or detached A person who construct considered a homeowne Services Department of shall be responsible (Section 109.1.1)	parcel of land on which he/she e is, or is intended to be, a constructures accessory to such us to more than one home in a two-r. Such "homeowner" shall submon a form acceptable to the Builfor all such work performed unc	provided that the owner 9.1.1). resides or intends to one to six family dwelling, se and/or farm structures. Year period shall not be nit to the Inspectional lding Official, that he/she der the building permit.
City of Boston Buildi	cowner" assumes responsibility f ing and Structures Division mini that he/she will comply with sa ed on the back of the Building (aid procedures and
HOMEOWNER'S SIGNATURE		
APPROVAL OF BUILDING	OFFICIAL	
Note: All Structures with State Building (35,000 cubic feet, or larger, Code Section 127.0, Construction	will be required to comply n Control.

Department of Inspectional Services
Boston, MA

N	um	ber:	87	-5

Date: August 31, 1987

Subject:

Requirements for Plan Submission and Microfilming Requirements (Temporary)

Determination:

1. The requirements that are hereby adopted in what follows are considered a temporary measure by the Department of Inspectional Services until such time as permanent measures for microfilming are put into effect.

2. PLAN REQUIREMENTS:

Two sets of plans are required for all applications. Certified plot plans are required for all applications requiring zoning review. The plans must be of reproducable quality and the legal street address and permit number clearly printed in the lower corner of each page. A title page with index of plans is also required (see sample format on last page).

.3. MICROFILM PROCEDURE:

It shall be the responsibility of the applicant or their authorized agent to arrange for the microfilming of approved plans for all projects which involve plans with more than five (5) sheets. For projects involving plans with five (5) sheets or fewer the applicant can have the microfilming done by ISD at a rate of \$2.00 per sheet. On projects with more than five (5) sheets the applicant or agent will be provided with the approved plans at the time the permit or amendment is issued. The applicant or agent must have the plans microfilmed in "Data Card Format" (see sample on following page) with the information typed on each card as shown.

Signed:

William Sommers

Commissioner Inspectional Services

Street Name	Number	Ward Permit No./Y	r Card No.	
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MMM 5001 FILMSORT® Brand Apert	ure & Camera Carde	and DUPI trappe n	rds – Product of 3M , St. Paul, Minn.	
		Gill DOFETCARD Brand Copy Coc	rds - Product of 3M , St. Paul, Minn,	

The microfilmed plans must be returned to the Plans & Permits Divison, ISD within two calendar weeks of receipt of the permit. The approved set of plans with more than ten (10) pages must be on the site in the same two weeks time period. Applicants with ten (10) or fewer pages of plans will be provided with a second set of approved plans at the time the permit or amendent is issued. This second set of approved plans must be on the site at the time construction is started.

4. PENALTIES:

Failure to return the microfilmed plans or have the approved plans on site within the required time period will be cause for revocation of the permit or amendment. This time limit can only be extended by the written authorization of the Commissioner of ISD or Chief of Plans and Permits Division.

5. BFD MICROFILM:

A duplicate set of microfilmed plans shall be required and provided by the applicant or their authorized agent when the Boston Fire Department requires that plans be kept on file. This duplicate set of microfilmed plans will also be returned to the Plans and Permits Division, ISD within the same two week period and with the same information on each card as is listed above. The requirement for the Boston Fire Department plans will be noted on the approved permit application.

Department of Inspectional Services Boston, MA

Number: 87-4

Date: May 14, 1987

Subject:

RODENT EXTERMINATION REQUIREMENTS FOR BUILDING DEPARTMENT PERMIT APPLICATIONS

Determination:

- 1. In accordance with Authority granted to the Commissioner of Inspectional Services by the Massachusetts State Sanitary Code, Chapter II, 105 CMR 410.550 and under Section 108.6 of the State Builders Code it is hereinafter established that externation for rodents shall be required for issuance of permits for demolition, excavation, foundation and basement rehabilitation. The purpose of this policy is to reduce or eliminate rodent infestation.
- 2. Applicants who file for work as defined in #1 above must file a certificate of rodent extermination from a licensed exterminator with the application indicating that extermination will be carried out before, during and at completion of such work.
 - With the approval of the owners, any premises impacted upon within three hundred (300)-feet of such work shall be exterminated. Only the premise exterior need be baited.
- 3. Licensed exterminators shall indicate by first and second inspections (before and during construction activity, respectively) that no rodent activity is identified. Compliance with this policy will be monitored by the Rodent Control Unit of the Inspectional Services Department.
- 4. No Certificate of Occupnacy will be issued where noncompliance with this policy is identified.
- 5. This policy shall be effective upon the issuance date of this Bulletin.

Signed:

Commissioner

Inspectional Services

Department of Inspectional Services Boston, MA

Number:

87-3

Date: April 29, 1987

Subject:

REGULATIONS GOVERNING THE REGISTRATION OF THE SERVICING AND TESTING OF COMMERCIAL WEIGHING AND MEASURING DEVICES

Determination:

Based on the authority contained in Massachusetts General Laws, Chapter 98, Section 34, Statute 1965, Chapter 656 as well as authorization contained in the Ordinances of 1981, Chapter 19, the attached rules and regulations are hereby adopted.

Adoption of these rules is based on an advertised public hearing held on April 6, 1987. The minutes and results of that public hearing, together with copies of public notice, are on file with the Boston City Clerk.

The rules and regulations which follow are effective as of July 1, 1987.

Signed:

Inspectional Services

REGULATION GOVERNING THE REGISTRATION OF THE SERVICING AND TESTING OF COMMERCIAL WEIGHING AND MEASURING DEVICES

SECTION ONE. Policy.

Pursuant to the authority contained in Massachusetts General Laws Chapter 98 s.34 and Statute 1965 Chapter 656, it shall be the policy of the Department of Inspectional Services of the City of Boston through its Division of Weights and Measures to require the registration of individuals and entities engaged in the activity of installing, servicing, repairing, reconditioning or testing commercial weighing or measuring devices within the City of Boston.

For the benefit of the users, manufacturers, and distributors of commercial weighing and measuring devices, it shall be the policy of the Commissioner of Inspectional Services, hereinafter referred to as Commissioner, to register individuals and entities which provide acceptable evidence of: (1) qualification by training or experience to install, service, repair, or recondition a commercial weighing or measuring device; (2) a thorough working knowledge of all appropriate weights and measures laws, orders, rules, and regulations; and (3) possession of or availability for use, and agreement to use, calibrated weights and measures standards and testing equipment appropriate in design and adequate in amount.

No employee of local, state or federal government shall be eligible for registration.

The Commissioner, through the Division of Weights and Measures, shall verify the qualifications of each applicant.

A Certificate of Registration, issued in accord with these regulations, shall be required to propose the removal of Condemned Tags placed on Commercial Weighing and Measuring Devices by authorized Weights and Measures officials, to propose placement in service of repaired Devices that were rejected, or to propose placement in service of Devices that have been newly installed, in compliance with these regulations, within the City of Boston.

The Commissioner shall not guarantee the work or fair dealing of a Registrant. He may, however, remove from the registration list any Registrant which violates any section of these regulations.

Failure to notify the Commissioner that a Condemned Tag is proposed to be removed or a Device is proposed to be placed in service, pursuant to these regulations, or unauthorized removal of a Condemned Tag or unauthorized placement in service of a device shall constitute a violation of these regulations and may be grounds for immediate suspension or revocation of registration. Furthermore, unauthorized removal of a Condemned Tag or unauthorized placement in service of a Device shall be considered obstruction of the sealer in performance of his duty and shall be subject to the penalties contained in G.L.c.98 s.34.

SECTION TWO. Definitions

- 2.1 Registrant. The term "Registrant" shall be construed to mean any Registered Service Person, Apprentice Service Person or Agency which for hire, award, commission or payment of any kind, installs services, repairs, or reconditions a Commercial Weighing or Measuring Device and which, having met the requirements of these regulations, has been accepted for registration by the Commissioner.
- 2.2 Commercial Weighing and Measuring Device. The term "Commercial Weighing and Measuring Device" (Device) shall be construed to include any weight or measure or weighing or measuring device commercially employed in establishing the size, quantity, extent, area or measurement of quantities, things, produce or articles for distribution or consumption, purchased, offered or submitted for sale, hire or award, or in computing any basic charge or payment for services rendered on the basis of weight or measure. It shall also include any accessory attached to or used in connection with a Commercial Weighing or Measuring Device when such accessory is so designed or installed that its operation affects the accuracy of the Device.
- 2.3 Commissioner. The Commissioner of the Inspectional Services Department of the City of Boston or his designee.
- 2.4 <u>Condemned Tag.</u> A stamp, mark or label stating (condemned) or (CD) attached to all weighing devices which cannot be made to conform to the standard.

SECTION THREE. Requirements.

- 3.1 Minimum Equipment. Applicants must have available sufficient standards and equipment to adequately test devices as set forth in the Notes section of each applicable code in NBS Handbook 44, "Specifications, Tolerances and Other Technical Requirements for Weighing and Measuring Devices". This equipment must meet the specifications of National Bureau of Standards Handbook 105-1, "Specifications and Tolerances for Reference Standards and Field Standards Weights and Measures, Specifications and Tolerances for Field Standard Weights (NBS Class F)", National Bureau of Standards Handbook 105-2 "Specifications and Tolerances for Reference Standards and Field Standard Weights and Measures, Specifications and Tolerances for Field Measuring Flask", or National Bureau of Standards Handbook 105-3, "Specifications and Tolerances for Reference Standards and Field Standard Weights and Measures, Specifications and Tolerances for Graduated Neck Type Volumetric Field Standards."
- 3.2 Registered Serviceperson. An applicant for registered service-person shall submit: (1) appropriate evidence of at least four years of training and/or experience servicing Commercial Weighing and Measuring Devices; and (2) at least two references as to professional and personal qualifications.

- 3.3 Registered Apprentice Serviceperson. An applicant for registered apprentice serviceperson shall submit: (1) appropriate evidence of less than four years of training and/or experience in servicing Commercial Weighing and Measuring Devices; (2) at least two references as to professional and personal qualifications; and (3) sponsorship by a Registered Serviceperson or Agency.
- 3.4 Registered Agency. Any non-individual applicant shall be considered, for purposes of these regulations, to be an agency. Any agency applicant shall submit the names and registration numbers of all Servicepersons and Apprentice Servicepersons employed by and/or associated with it and engaged in any activity covered by these regulations within the City of Boston. As a condition of Agency registration, registration of individual Servicepersons and Apprentice Servicepersons who are employed by and/or associated with the Agency and engaged in any activity covered by these regulations within the City of Boston shall be required.

SECTION FOUR. Registration Procedure.

An individual or agency seeking to perform any of the activities covered by these regulations in the City of Boston shall apply for registration to service Commercial Weighing Devices and Measuring Devices on an application form supplied by the Commissioner. Said form shall include a signed, sworn statement by the applicant that the individual or agency is fully qualified to install, service, repair, or recondition whatever Devices for the service of which competence is being registered, has in possession or available for use, and will use, all necessary testing equipment and standards, and has full knowledge of all appropriate weights and measures laws, orders, rules, and regulations.

SECTION FIVE. Registration Fee and Application.

The Registrant, when so designated by the Commissioner, shall be charged a fee consistent with the fee set forth in the City of Boston Code.

SECTION SIX. Certificate of Registration.

Upon approval by the Commissioner, he shall issue to the applicant a Certificate of Registration which shall expire one (1) year after the date of issuance, unless sooner suspended or revoked.

SECTION SEVEN. Privileges and Responsibilities of a Registrant.

In accordance with these regulations, a Registrant shall notify the Commissioner of request to (1) remove an official Condemned Tag or mark placed on a Commercial Weighing or Measuring Device by the authority of the Commissioner; (2) place in service a Commercial Weighing or Measuring Device that has been rejected; or (3) place in service a new or used Commercial Weighing or Measuring Device. The Commissioner shall accept or reject the proposed removal or placement in service, in accordance with these regulations within 72 hours from the time of receipt of notification. The Registrant is responsible for installing, repairing and adjusting Devices such that the Devices are adjusted as closely as practicable to zero error.

SECTION EIGHT. Placed In Service Report.

The Commissioner shall furnish each Registrant with a supply of report forms to be known as "Placed in Service Reports". These forms shall be executed in triplicate for each condemned Device proposed to be restored to service and for each newly installed Device proposed to be placed in service and shall include the assigned registration number of the Registrant. Within 24 hours after a Device is proposed to be restored to service, or proposed to be placed in service, the original of the properly executed Placed in Service Report shall be sent by first class mail, postage prepaid, registered mail, return receipt requested, or by delivering in hand to the Commissioner. Receipt of the Placed in Service Report by the Commissioner shall mark the commencement of the period during which the Devices must remain out of service pending action by the Commissioner. The duplicate copy of the report shall be given to the owner or operator of the Device, and the triplicate copy shall be retained by the Registrant.

SECTION NINE. Disposition of Condemned Devices.

An Agency, Serviceperson or Apprentice Serviceperson who accepts Weights and Measuring Devices which have been condemned by the authority of the Commissioner in trade for new or used Commercial Weighing and Measuring Devices, and which are intended to be dismantled or destroyed shall remove the condemned tags upon receipt thereof. The Condemned Tags shall be returned to the Commissioner within ten days thereafter, with a statement describing the Device and, if obtainable, the name and address of the former owner and uses from which it is received. Notification shall be made by first class mail, postage prepaid, registered mail, certified mail, return receipt requested, or by hand, return receipt requested. Within 72 hours from the time of receipt of said Tags, the Commissioner shall approve or disapprove that removal of the Tags. No action may be taken to dismantle or destroy the Device until the Commissioner has acted.

A Registrant shall also furnish the Commissioner with a statement of what disposition has been made of the Commercial Weighing and Measuring Device within ten days of any such disposition.

SECTION TEN. Examination And Calibration Or Certification Of Standards And Testing Equipment.

A Registrant shall submit, at least annually, to the Massachusetts State Division of Standards, for examination and certification, any standards and testing equipment that are used, or are to be used, in the performance of the service and testing functions with respect to Commercial Weighing and Measuring Devices for which competence is registered. A Registrant shall not use in servicing Commercial Weighing and Measuring Devices any standards or testing equipment that have not been certified by the State Division of Standards. Equipment calibrated by another State's Weights and Measures Laboratory that can show traceability to the National Bureau of Standards will also be recognized as equipment suitable for use by Registrant pursuant to these regulations.

SECTION ELEVEN. Suspension or Revocation of Certificate of Registration.

- 11.1 The Commissioner is authorized to suspend or revoke a Certificate of Registration for good cause which shall inloude but is not limited to: Violation of any section of these regulations; failure to have test equipment or standards certified; failure to use adequate testing equipment; and failure to adjust Commercial Weighing and Measuring Devices to comply with Handbook 44 subsequent to service or repair.
- 11.2 Where the Commissioner determines that it would be detrimental to the public interest and states reasons therefor, the Commissioner may revoke or suspend a registration prior to hearing. Thereafter, the Commissioner must schedule a hearing within seven working days of the revocation or suspension.
- 11.3 Except as otherwise provided in Section 11.2, after refusing to issue a registration or prior to revoking or suspending a registration, the Commissioner shall designate a hearing officer and a hearing shall be held.
- 11.4 At least five working days prior to the hearing, the Commissioner shall notify the Registrant in writing, return receipt requested, of the specific grounds for the Commissioner's proposed action and the date, time and place of the hearing.

11.5 At the hearing, the Registrant may present evidence to show cause why registration should be granted or should not be revoked or suspended. Within three working days of the hearing, the hearing officer shall submit to the Commissioner and send a copy to the Registrant by registered mail, return receipt requested, a recommended decision. The registrant may respond to the recommended decision within five working days after receipt thereof. The Commissioner shall, by certified mail, return receipt requested, issue a decision stating specifically the facts and law on which it is based within three working days after the earlier receipt of the Registrant's response or the lapse of the Registrant's response period. The decision of the Commissioner shall state grounds therefore and shall be final.

SECTION TWELVE. Publication Of Lists Of Registered Servicepersons And Registered Service Agencies.

The Commissioner shall publish, from time to time as he deems appropriate, and may supply upon request, a list of Registrants.

SECTION THIRTEEN. Effective Date.

These regulations shall become effective July 1, 1987.

Department of Inspectional Services Bacton, MA

Number:

87-2

Date: April 28, 1987

Subject:

CONTROL FOR READY MIX CONCRETE
(Section 817.0 of Massachusetts State Building Code)

Determination:

- 1. Control for ready mix concrete shall conform to the requirements of American Concrete Institute 318 and American Society for Testing and Materials C94 as stated in Section 817.0 of the Massachusetts State Building Code.
- An "approved" testing laboratory is one which has been certified by the National Bureau of Standards, Cement and Concrete Reference Laboratory, Washington, D.C. 20234. This certification must be renewed every two years.
- 3. The concrete testing laboratory must be engaged and paid for by the building or structure owner and not the contractor. Copies of all laboratory reports must be sent to the owner, the contractor, the ready mix concrete supplier, the structural engineer or architect and the Commissioner of Inspectional Services to arrive within seven days of the laboratory test. No building permit shall be issued without evidence that an approved laboratory has been engaged. In the case of an owner-contractor, the laboratory must be mutually agreeable to the owner-contractor and the Commissioner of Inspectional Services.
- 4. The design of the concrete mix shall be the responsibility of the affidavit engineer where one is required. Where no affidavit engineer is required the design of the concrete mix shall be the responsibility of the engineer or architect whose professional seal appears on the approved plans.

Signed:

Inspectional Services

The Boston Herald, Friday, February 27, 1987

On Monday April 6, 1987, at 10:15 a.m. a public hearing regarding the proposed regulation requiring the registration of individuals and entities engaged in the activity of installing, servicing, repairing and reconditioning or testing commercial weighing or measuring devices within the City of Boston (Persuant to the authority contained in Chapter 98 Section 34 and Statutes 1965 Chapter 656 of Massachusetts Laws). The hearing was held at 1010 Massachusetts Avenue in the fifth floor Conference Room of the Inspectional Services Department. Present at the hearing were William A. Sommers, Commissioner, and Paul H. Manning, Executive Secretary of Weight and Measures. None other than the parties specified above were in attendance. The hearing was closed at 10:30 a.m.

This is to certify that the public hearing as described above was held and that I, personnally, chaired the public hearing

on the date above mentioned.

William Sommers,

Commissioner, ISD

Then appeared before me the above named William Sommers, Commissioner of the City of Boston Inspectional Services Department and swore that the above statement is true.

My Commission expires May 4, 1987

Patricia A. Brennan
Notary

4/9/87

- 5. Test samples shall be taken of the ready mixed concrete as it is delivered at the jobsite and in the manner and under conditions set out in the standards referred to in number one above. Test samples at the batch plant are optional to the owner or owner-contractor. However, the Commissioner of Inspectional Services may require that test samples be taken at the batch plant where the results of testing samples taken at the job site reveal continuing or uncorrected problems.
- 6. Commissioner's Bulletin #179 (April 2, 1971) is hereby rescinded.

Department of Inspectional Services
Boston, MA

Number:	87 1		
Date:	January 16, 1987		•
Subject:			
		finition and Requirements of An Affidavit Pr he City of Boston	oject
Determina	ation:		

Part I

- 1. The purpose of this bulletin is to amplify the requirements for affidavit projects as authorized by Section 108.5, 108.6 and 127 of the Massachusetts State Building Code, Fourth Edition (780 CMR) and to clarify their application to the City of Boston.
- 2. This Bulletin supersedes Commissioner's Bulletin No. 180 as revised on September 7, 1984. Projects currently under construction at the date of this bulletin shall continue with respect to the requirements of Bulletin No. 180. Projects undergoing approval or which have been newly applied for shall be subject to this Bulletin.
- 3. This Bulletin may be referred to as Commissioner's Bulletin No. 87-1, January 16, 1987, or as the Affidavit Project Bulletin, and shall be effective as of the date of this Bulletin.

Part II

4. It is established policy that affidavits are to be filed with the Inspectional Services Department prior to the issuance of the building permit for all buildings or structures the cost of which exceeds a fair cost of \$950,000 or which, in the opinion of the Chief of the Plans & Permits Division, may be classified as "complex structures." (Please see Bulletin #86-6, December 15, 1986, for criteria of fair cost.)

Notwithstanding these requirements, the Chief of the Plans & Permits Division, with the approval of the Commissioner, may require individual affidavits, such as structural or mechanical affidavits, on projects with complex portions which may not otherwise be designated as "Affidavit Projects".

Signed:

Munthmust

COMMISSIONER INSPECTIONAL SERVICES

- 5. With respect to "complex structures", the Chief of the Plans & Permits Division shall, in determining whether a proposed building may be designated as an "Affidavit Project", set forth his reasons in a memorandum to the Commissioner who may approve or disapprove the recommendation that it be so included. If approved, the Chief of the Plans & Permits Division may then proceed per the remainder of this bulletin.
- 6. When a project is, according to the previously stated criteria, designated as an "Affidavit Project", the following affidavits shall be required:
 - A. Design Affidavits
 - 1. Architectural Design Affidavit
 - 2. Structural Design Affidavit
 - 3. Mechanical Design Affidavit
 - 4. Electrical Design Affidavit
 - B. Inspectional and/or Final Affidavits
 - 5. Inspection Affidavit
 - 6. Licensed Builder Affidavit
 - 7. Inspection Final Affidavit (Architect or Engineer)
 - 8. Architectural Final Affidavit
 - 9. Structural Final Affidavit
 - 10. Mechanical Final Affidavit
 - 11. Electrical Final Affidavit
 - 12. Licensed Builder Final Affidavit

The formats of these affidavits are attached and made a part of this Bulletin.

- 7. The Inspection Affidavit Architect or Engineer (See Affidavit No. B-5 in Item 6 above) or Engineer shall be in the employ of the Owner, Design Architect or Design Engineer and not in the employ of the General Contractor or acting as the General Contractor.
- 8. In pursuance of the affidavit system, the Owner or the Inspection Affidavit Architect or Engineer shall appoint a qualified person to be the Clerk of the Works for the proposed project. In no case shall the Clerk of the Works be employed by or responsible to the Affidavit Contractor. However, the Clerk of the Works, in addition to all other responsibilities, shall be under the direct authority of the Commissioner of Inspectional Services, who shall, in addition, approve the appointment of the Clerk of the Works prior to the issuance of the permit. The Clerk of the Works shall submit a resume to the Commissioner, or his designee, indicating his technical qualifications. Upon approval by the Commissioner, there shall be executed an Appointment and Approval Form which is attached to this Bulletin as Appendix A.

The requirement of a full-time Clerk of the Works may be waived by the Commissioner, if in his opinion, full-time, onsite observation is not required. In such event, the duties of the Clerk shall be performed by the Inspection Affidavit Architect or Engineer during his weekly site visit.

The Inspecting Affidavit Architect or Engineer shall make at least one site visit per week to the building or structure
for which the application was approved until the work is completed. He shall make a report monthly to the Commissioner of his visits.

In addition, the Clerk of the Works, as described in No. 8 above, shall maintain a daily log in a form and with such detail as shall be described and authorized by the Department of Inspectional Services.

10. The affidavit contractor, or his agent, must, prior to the issuance of any permit and before the affidavit project is approved, submit to the Chief of the Plans & Permits Division a copy of an approved Street Occupancy Permit received from the Boston Transportation Department. The details of application and the criteria for approval are contained in the Transportation Department's CONSTRUCTION MANAGEMENT PROGRAM report of December, 1986 from page 9 to the end of the booklet, and are a part of this Bulletin by reference. For further details contact the Boston Department of Transportation, Traffic Management Division, Room 721, City Hall, Boston.

- 19. The Commissioner of Inspectional Services may, upon written request of applicant, waive any part or all of this bulletin. The request shall include permit number, address, description of the proposed project including estimated cost and the specific reasons for the waiver requested. The Commissioner shall approve or reject the written request. In the case of approval, the Commissioner shall state the limits of the waiver and identify the specific conditions of the project which render the affidavit process or waived part thereof unnecessary or impossible.
- 20. In addition to all other requirements, the owner of the contractor shall present to the Department proof of a contract for rodent extermination which will show that extermination will take place before, during and at the completion of demolition. Rodent extermination is required for all excavation, foundation, basement and first floor work and on additional floors if they have been vacant.
- 21. It should be understood that this Bulletin does not apply to an applicant who applies and qualifies under the "Fast Track Permit Procedures" as outlined in Commissioner's Bulletin No. 86-5, December 10, 1986.

APPENDIX A

ORDER OF THE COMMISSIONER OF INSPECTIONAL SERVICES CONCERNING ACCEPTANCE OF CLERK OF WORKS & REPORT REQUIREMENTS ON PROJECT

Pursuant to Sections 108.6 and 127.4 of the Commonwealth of Massachusetts State Building Code (the "Code") and Commissioner's Bulletin, the following procedure for construction inspection reporting is hereby required during construction of the project.

The Project Representative (the "Representative") engaged by the Architect or owner to fulfill the requirements of Bulletin respecting a Clerk of the Works shall be subject to the approval of the Commissioner, which approval shall not be unreasonably withheld or delayed. The Commissioner may withdraw his approval of the Representative previously given if, in his reasonable judgment, the Representative is not discharging the responsibilities required by this Order with the professionalism required for a job of the size and complexity of the Project. Any replacement of the Representative shall be subject to the provisions of this paragraph concerning approval and withdrawal of approval by the Commissioner.

The Representative shall submit written reports directly to the Commissioner on the 1st day of each month. The reports shall contain a summary of construction activities on the Project site during the preceding month, including work in progress and work completed, and a summary of all material deviations from the plans and specifications upon which said Building Permits were issued, or the requirements of Code, observed during such period and the disposition thereof. In addition to such monthly reports, the Representative shall advise the Commissioner whenever in his professional judgment a condition arises in the course of construction of the Project which is a material deviation from the plans and specifications upon which said Building Permits were issued, or the requirements of the Code, the remedy or correction of which cannot be or is not being undertaken in the ordinary course. Such advice shall be in writing and shall be hand delivered to the Commissioner.

INSTRUCTIONS FOR MAINTAINING THE LOG BOOK

- The Inspectional Services Department shall require the Affidavit Engineer or Architect to keep a log of
 his weekly visits until the final affidavit is filed. The log sheets shall be filed in a standard 3-ring looseleaf binder with each page numbered.
- The Log Book shall be signed by all Inspectional Services Department inspectors, all personnel for the testing lab, clerk of works, Affidavit Engineer and his consultants, and daily by the Licensed Builder.
- 3. The Log Book shall be kept in a neat and orderly manner and at a location where all required personnel shall have access to it.
- 4. The Clerk of the Works shall note conditions of weather, noting maximum wind velocity, maximum and minimum temperature and low temperature of preceeding 24-hour period. He shall also note maximum wind velocity and minimum temperatures for holidays and weekends when no construction operations take place.
- 5. The Log Book shall not be used as a visitor's registration book.
- 6. Whenever there is a change in the principal personnel of the project, all changes shall be duly noted, with the appropriate dates, on a new title sheet, marked Revision #1, etc. In addition, these changes should be mailed directly to the Commissioner of Inspectional Services.
- 7. After the final affidavit is signed and before the Certificate of Occupancy is granted, the Log Book shall be returned to the Inspectional Services Department.

 	
PROJECT ADDRESS	

LICENSED BU	JILDER:		
Company:			
Address:			
Phone:			
		Class:	Lic. No
Company:			
Address:			
Phone:			
		Mass. Reg. No.	
PERMITS:			•
	NUMBER	CONTRACTOR	ADDRESS
Building			
Electrical			
Gas			
Plumbing			
Sprinkler			
Flevator			

LOG BOOK

VF A D.			Log Book Sheets
YEAK: PROJECT ADDRESS:		8	WARD:PERMIT NO
DATE NAME	TIME IN OUT	COMPANY/POSITION	ACTIVITY/FINDINGS
	•		

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PRO	IF	CT	10	CI	TIC	M		

LICENSED BUILI	OER:			
		Class:	Lic. No	
AFFIDAVIT ENGI	NEER or ARCHITECT:			
		Mass. Reg. No.		···
PERMITS:				
	NUMBER	CONTRACT	TOR	
- 11.				
Building				
Electrical				
Gas				
Plumbing				
Sprinkler				
Elevator				

ARCHITECTURAL DESIGN

	Permit No
To the Commissioner, Inspectional Services Departmen	t.
Re:	Ward
attached application concerning the locus at	and belief, the plans and computations accompanying the
	Ward are in accordance
with the requirements of the Massachusetts State Buil	lding Code and all other pertinent laws and ordinances.
ARCI	HITECT — MASS. REG. NO.
ADDI	RESS
PHO	NE
19	
Then personally appeared the above-namedand made oath that the above statement by him is true.	
	Before me,
	My Commission expires
	19

STRUCTURAL DESIGN

	remmt No.
To the Commissioner, Inspectional Services Depar	rtment.
Re:	Ward
I certify that to the best of my knowledge, informa attached application concerning the locus at	ation and belief, the plans and computations accompanying the
with the requirements of the Massachusetts State	Ward are in accordance Building Code and all other pertinent laws and ordinances.
	ENGINEER — MASS. REG. NO.
	COMPANY
•	ADDRESS
	PHONE
	. 19
Then personally appeared the above-named and made oath that the above statement by him is t	rue.
	Before me,
	My Commission expires
	19

MECHANICAL DESIGN

		Permit No.
To the Commissioner, Inspectional Services Dep	artment.	
Re:		Ward
I certify that to the best of my knowledge, informattached application concerning the locus at	nation and belief, the plans	and computations accompanying the
		d are in accordance ther pertinent laws and ordinances.
	ENGINEER — MASS. REG. NO	D.
	COMPANY	
	ADDRESS	
	PHONE	
	_ 19	
Then personally appeared the above-named nd made oath that the above statement by him is	true.	
	Before me,	
	My Commission expi	res
		19

ELECTRICAL DESIGN

	Permit No.
To the Commissioner, Inspectional Services Depart	rtment.
Re:	Ward
actuation concerning the locus at	ation and belief, the plans and computations accompanying the
with the requirements of the Massachusetts State	Ward are in accordance Building Code and all other pertinent laws and ordinances.
	ENGINEER — MASS. REG. NO.
	COMPANY
	ADDRESS
	PHONE
	19
Then personally appeared the above-namedand made oath that the above statement by him is tr	ue.
	Before me,
	My Commission expires
	19

INSPECTION AFFIDAVIT

To the Commissioner, Inspectional Services D	Dengertmant
Commissioner, Inspectional Services D	Department.
Re:	Ward
compliance with the Code and the approved p representative in my employ or in the employ o revised, during construction operations. He discrepancies noted to me for my action or for n	visit per week from start to completion of construction to observe plans and will make a report of my visits and findings. There will be a of the owner on site, as outlined in Commissioner's Bulletin No. 86-e will maintain a daily log of construction activities and report any my reporting to Inspectional Services Department. If the need or the busetts registered architect or engineer for me subject to the written ssioner.
	ARCHITECT OR ENGINEER — MASS. REG. NO.
	COMPANY
	ADDRESS
	PHONE
	19
Then personally appeared the above-named _ and made oath that the above statement by hin	Before me,
	My Commission expires

LICENSED BUILDER

		Permit No.
To the Commissioner, Inspectional Services Depar	tment.	•
Re:		Ward
I certify that I am duly licensed to take personal c Building Code and that I shall perform only that we ance with the plans approved by the Inspectional Se in accordance with the provisions of the Massachuse during the construction of operations at	rk described on the Building Ervices Department. I further ce etts State Building Code and th	Permit application and in accordertify that this work shall be done at I will be on the site at all times
	LICENSED BUILDER	LICENSE NO.
	CLASS	WHEN EXPIRES .
•	COMPANY	ADDRESS
i	PHONE	
	19	
Then personally appeared the above-named and made oath that the above statement by him is tr	ue.	
	Before me,	
	My Commission expires	
		19

INSPECTION FINAL AFFIDAVIT

To the Inspectional Services Commissioner:

I certify that I, or my authorized representative, have inspected the work associated with Permit

No	, dated	, locus
to the best of plans approve	f my knowledge, information, and	ow or on at least occasions during construction), and that belief the work has been done in conformance with the permit and epartment and with the provisions of the Massachusetts State Buildmances.
		ARCHITECT OR ENGINEER — MASS. REG. NO.
		COMPANY
		ADDRESS
Inspection I	Dates:	
-,,, , , , , , , , , , , , , , , , , , 		19
Then person and made or	nally appeared the above-named _ ath that the above statement by hi	im is true.
		Before me,
		My Commission expires
		10

ARCHITECTURAL FINAL AFFIDAVIT

No	, dated	, locus
to the best of plans approve	my knowledge, information,	below or on at least occasions during construction), and that and belief the work has been done in conformance with the permit and es Department and with the provisions of the Massachusetts State Build-ordinances.
		ARCHITECT — MASS. REG. NO.
		COMPANY
		ADDRESS
		PHONE
Inspection Da	ates:	
		19
	ally appeared the above-name th that the above statement by	edy him is true.
		Before me,
		My Commission expires
		19

STRUCTURAL FINAL AFFIDAVIT

I certify that	I, or my authorized repre	esentative, have inspected the work associated with Permit
No	, dated	, locus
to the best of m plans approved	y knowledge, information, and	ow or on at least occasions during construction), and that belief the work has been done in conformance with the permit and epartment and with the provisions of the Massachusetts State Buildnances.
		ENGINEER — MASS. REG. NO.
		COMPANY
		ADDRESS
		PHONE
Inspection Date	es:	
		19
	y appeared the above-named _ that the above statement by hir	
		Before me,
		My Commission expires
		19

MECHANICAL FINAL AFFIDAVIT

No	, dated	, locus
to the best of plans approve	f my knowledge, information	d below or on at least occasions during construction), and that n, and belief the work has been done in conformance with the permit and ces Department and with the provisions of the Massachusetts State Builddordinances.
		ENGINEER MASS. REG. NO.
		COMPANY
		ADDRESS
		PHONE
Inspection [Dates:	
		19
	nally appeared the above-nar th that the above statement	
		Before me,
		My Commission expires
		19

ELECTRICAL FINAL AFFIDAVIT

To the Inspectional Services Commissioner: I certify that I, or my authorized representative, have inspected the work associated with Permit No. ______, dated ______, locus _____ _____ (on the dates used below or on at least _____ occasions during construction), and that to the best of my knowledge, information, and belief the work has been done in conformance with the permit and plans approved by the Inspectional Services Department and with the provisions of the Massachusetts State Building Code and all other pertinent laws and ordinances. ENGINEER - MASS. REG. NO. COMPANY ADDRESS PHONE Inspection Dates: _____ 19 _____ Then personally appeared the above-named _____

and made oath that the above statement by him is true.

Before me,		
My Commission expires		
	19	

LICENSED BUILDER FINAL AFFIDAVIT

		epresentative, have inspected the work associated with Permit, locus
to the best of plans approv	f my knowledge, information,	below or on at least occasions during construction), and that and belief the work has been done in conformance with the permit and es Department and with the provisions of the Massachusetts State Build-ordinances.
		LICENSED BUILDER — LICENSE NO.
		COMPANY
		ADDRESS
		PHONE
Inspection I	Dates:	
		19
Then person and made or	nally appeared the above-nam ath that the above statement b	pedpy him is true.
		Before me,
		My Commission expires
		19